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VIA ECF AND EMAIL

The Honorable Analisa Torres
 United States District Court
 Southern District of New York
 500 Pearl St.
 New York, NY 10007
 Torres_NYSDChambers@nysd.uscourts.gov

Re: *Lara S. Trafelet v. Cipolla & Co., LLC, No. 22-cv-4888 (AT) (VF)*

Dear Judge Torres:

We represent Petitioner Lara S. Trafelet in the above-referenced matter. We are writing to seek the Court's immediate assistance to restrict access to the exhibits Respondent filed with the Declaration of David N. Mair (ECF Nos. 45-1 through 45-93 and ECF Nos. 50-1 through 50-29) to the parties and the Court only. We ask that the Court do this to protect [REDACTED]

[REDACTED] Once restricted, we respectfully request that the Court order that Respondent rectify the numerous issues identified with its exhibits, outlined below, and give Ms. Trafelet the opportunity to review the corrected exhibits before filing them publicly.

First, and most egregiously, Ms. Trafelet has learned that [REDACTED]

¹ The list of exhibits in Appendix A all contain [REDACTED]

[REDACTED] But because Respondent filed over 100 exhibits, several of which are hundreds of pages long and not text-searchable, Ms. Trafelet has not been able to identify an exhaustive list of exhibits with this issue. Given that these are Respondent's exhibits, the burden should be on Respondent to identify and redact this information before filing its exhibits publicly [REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED] Given the enormous privacy interest that [REDACTED] have in this “traditionally … private” information, *see United States v. Amodeo*, 71 F.3d 1044, 1051 (2d Cir. 1995), and given that this information pervades the entirety of these exhibits, Ms. Trafelet requests that the exhibits listed in Appendix A be filed fully under seal. She also requests that this Court order Respondent to review its full set of exhibits for [REDACTED] and redact this information in any proposed new filing.

Second, several of the exhibits Respondent filed contain [REDACTED]

[REDACTED]

[REDACTED] Ms. Trafelet respectfully requests that Respondent be ordered to redact such information, or, [REDACTED] file the exhibits fully under seal.

In addition, many of the redactions that Respondent sought to make in accordance with the Court’s June 22, 2022 order do not, in fact, redact the information from public view. In nearly 20 exhibits, Ms. Trafelet has found faulty redactions: anyone accessing the document can simply highlight and copy the text underlying the black box/bar and paste it in another document to read it, rendering the redactions illusory. There are other purported redactions where the reader can simply read the redacted words under the black lines. [REDACTED]

² The filing of [REDACTED] [REDACTED] appears to be completely gratuitous: It is clear from the date of the document that the exhibit does not (and cannot) substantiate the points for which Respondent cites it [REDACTED]

[REDACTED]

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█████ All of the exhibits containing improper redactions are listed in Appendix B. Ms. Trafelet requests that the Court order Respondent to correct these redactions and to confirm that the issue does not appear in any other exhibits. She also requests that she have the opportunity to review the corrected exhibits before they are refiled on the public docket.

Finally, Ms. Trafelet is separately reviewing the exhibits to identify a third set of exhibits that may not █████ but contain such █████ as to warrant additional redactions or sealing. Ms. Trafelet will promptly write to the Court with a further list of exhibits upon the completion of her review.

Ms. Trafelet is rightfully outraged that Respondent would be so careless as to publicly file █████ without redacting it or, at a minimum, raising the issue with her counsel. She sincerely appreciates the Court's prompt assistance to protect this information. She reserves all rights to seek further relief.

We are available should Your Honor have any questions.

Respectfully submitted,

/s/ Jenna E. Ross

Jenna E. Ross
Jenner & Block LLP
Counsel for Petitioner Lara S. Trafelet

cc: Counsel for Respondent (via ECF and email)

GRANTED. Respondent shall file the exhibits listed in Exhibit A under seal. Respondent shall review its exhibits for the sensitive information identified by Petitioner and redact this information prior to any subsequent filing. Respondent shall correct its redactions to the exhibits identified by Petitioner.

The Clerk of Court is directed to change the viewing level such that only the parties can access the following documents: ECF Nos. 45-06, 45-08, 45-09, 45-12, 45-13, 45-19, 45-20, 45-31, 45-32, 45-41, 45-42, 45-52, 45-54, 45-50, 45-59, 45-60, 45-63, 45-64, 45-77, 45-81, 45-86, 45-87, 45-91, 50-1 through 50-8 inclusive, 50-13, 50-14, 50-16, 50-17, 50-19, 50-20, 50-21, and 50-26.

SO ORDERED.

Dated: November 14, 2022
New York, New York


ANALISA TORRES
United States District Judge